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7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**
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10 **MARIA A. PEREZ-SANCHEZ, et al.,**

11 Plaintiff(s),

12 v.

13 **SUMITOMO RUBBER INDUSTRIES LTD,**
14 et al.,

15 Defendant(s).

Case No.: 2:18-cv-01278-JCM-NJK

Order

Pending before the Court is the parties' discovery plan. Docket No. 27. There are threshold deficiencies with the discovery plan.

First, the Court declines Plaintiffs' request to set indefinite deadlines triggered by the resolution of the motion to remand. Discovery plans must include calendar dates for the deadlines being proposed. *See, e.g.*, Local Rule 26-1(b)(1).

Second, Defendant Sumitomo Thailand has appeared in this case, Docket No. 17, but did not sign the discovery plan. To the extent Sumitomo Thailand seeks a stay of its discovery obligations, it must file a proper motion addressing the applicable standards. *See, e.g.*, *SVI, Inc. v. Supreme Corp.*, 2017 WL 7725248, at *1 (D. Nev. Mar. 7, 2017). Otherwise, Sumitomo Thailand is required to participate in discovery at this time.¹

¹ If Sumitomo Thailand files a motion to stay discovery on or before November 21, 2018, the Court will not require it to sign the discovery plan that is filed as ordered herein.

Third, the discovery plan includes the following certification:

The Attorneys have considered consent to trial by a magistrate judge under U.S.C. § 636(c) and Fed. R. Civ. P. 73, use of the Short Trial Program (General Order 2013-01), and the use of alternative dispute-resolution processes including mediation, arbitration, and early neutral evaluation – **YES**

Docket No. 27 at 9 (emphasis added). The Court is unclear to what the parties are consenting through this statement: trial by magistrate judge, use of the short trial program, use of alternative dispute resolution, or some combination thereof.

Accordingly, an amended discovery plan shall be filed by November 21, 2018.

IT IS SO ORDERED.

Dated: November 16, 2018

Nancy J. Koppe
United States Magistrate Judge